

MEMORANDUM

July 28, 2014

TO: Honorable Mayor and City Commissioners

VIA: Kenneth Fields, City Manager

FROM: Margaret Swanson, Director of Planning and Development

RE: Ordinance 2014-07 – 2nd Reading and Public Hearing – Zoning Map Amendment Equinox of Florida LLC Property – North of Chalet Suzanne Rd.

SYNOPSIS: A change in the zoning classification from R-1B Single-family to R-3 Multi-family is proposed for 20 acres of property north of Chalet Suzanne Rd. and east of US 27. An apartment complex is proposed on the property by the owner, Equinox of Florida LLC.

RECOMMENDATION

A first reading and public hearing was held on the ordinance at the July 15th City Commission and the ordinance was approved for second reading.

A public hearing is required. Advertising requirements have been met.

BACKGROUND

An apartment complex is proposed for the 20-acre property, located north of Chalet Suzanne Rd. and east of US 27. The zoning change from R-1B Single-family to R-3 Multi-family, initiated by staff, will facilitate the development of apartments on the property.

The proposed R-3 zoning is consistent with the Comprehensive Plan's Future Land Use Map and related policies. About 8 acres of the property is designated as RAC-Regional Activity Center, the City's most intense commercial classification, where multi-family development is encouraged. The remaining 12 acres is designated MDR-Medium Density Residential. (See Attachment A.) Multi-family residential development is appropriate on the entire parcel because of its close proximity to a major commercial area and an arterial highway, US Highway 27.

The allowable density will not be increased by the zoning change. Density is governed by the Future Land Use Map, which in this case allows up to 12 units per acre on the RAC portion of the property and 6 units per acre on the area designated MDR-Medium Density Residential.

The developer proposes to submit a PDP (Planned Development Project) for approval in the fall. A 20-acre wetland parcel to the east, also owned by Equinox, is proposed as open space for transfer of density to the apartment parcel. (See attached Aerial Photo.) If the transfer is

approved by City Commission under the PDP process, a conservation restriction and/or rezoning to Conservation will be recommended for the open space parcel.

The site presently has no roadway access. The developer will be required to construct a road from Chalet Suzanne Rd. to the project entrance. In the gap between the two 20-acre parcels, there is an easement granted to the developer from the property owner Star Lake Inc. for this purpose. The road will continue north in the future as the remainder of the Star Lake Inc. property is developed.

The R-1B zoning was assigned as an interim designation, until a master plan could be developed for the acreage east of Shoppes on the Ridge and Home Depot, all at one time owned by Star Lake Inc. However, no master plan was ever submitted for review.

OTHER OPTIONS

The City Commission could decline to approve the change in zoning designation. Apartments on the property could still be approved through the PDP process, but with the open space ratios required in a single-family district, it would be difficult to achieve the full allowable density.

FISCAL IMPACT

Processing the zoning change is the only fiscal impact on the City.

ATTACHMENTS

Ordinance 2014-07 with Attachment A
Aerial Photo - 2011 – Equinox Properties

ORDINANCE 2014-07

(Equinox of Florida LLC property – Rezone R-1B to R-3)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP ESTABLISHED UNDER THE LAKE WALES CODE OF ORDINANCES, CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS, TO CHANGE THE ZONING DESIGNATION OF 20 ACRES LOCATED NORTHWARD OF CHALET SUZANNE ROAD AND EASTWARD OF U.S. HIGHWAY 27 FROM R-1B SINGLE-FAMILY RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida:

SECTION 1 The Zoning Map is hereby amended to change the designation on approximately 20 acres of property, owned by and located north of Chalet Suzanne Rd. eastward of U.S. Highway 27, from zoning designation R-1B Single-Family Residential to R-3 Multi-Family Residential.

The property and land use designations are shown on “Attachment A,” hereby made part of this ordinance. (Property Appraiser’s Property ID #272916-000000-023020)

SECTION 2 If any clause, section or provision of this ordinance or any fee imposed pursuant to this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance or remaining fees shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 4 Certified copies of the enacting ordinance and the Lake Wales Code of Ordinances shall be located in the Office of the City Clerk of Lake Wales. The City Clerk shall also make copies available to the public for a reasonable publication charge.

SECTION 5 This amendment shall become effective immediately upon its passage.

CERTIFIED AS TO PASSAGE this _____ day of _____, 2014.

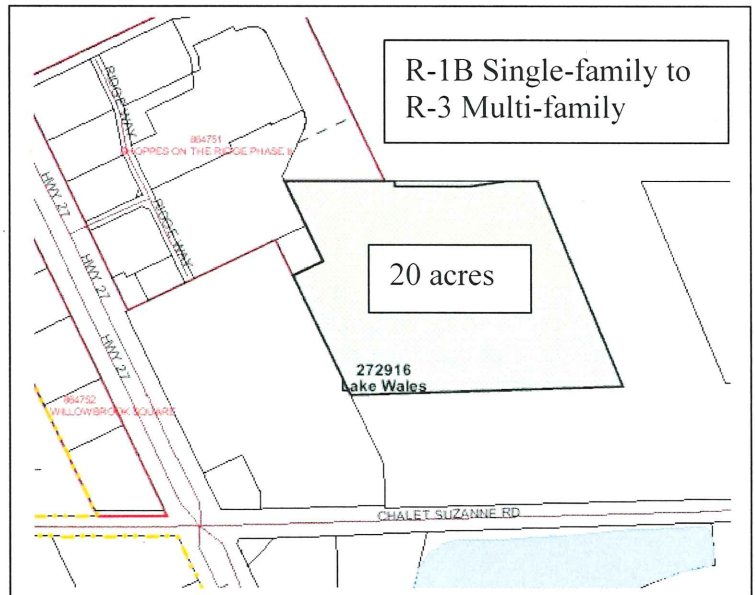
ATTEST:

Mayor/Commissioner
City of Lake Wales, Polk County, Florida

City Clerk



**ATTACHMENT A
Ordinance 2014-07
Zoning Map Amendment
Equinox of Florida LLC Property**





Aerial Photo – 2011
Equinox Properties – north of Chalet Suzanne Rd.